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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,076	10/18/2000	Corey Young	MCP-207	3762

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EXAMINER
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BLACKWELL, JAMES H

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/691,076

Applicant(s)

YOUNG ET AL.

Examiner

James H. Blackwell

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5-10 and 14-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-10 and 14-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/17/05 has been entered.
2. Objections to the disclosure and abstract of the Specification have been withdrawn as necessitated by amendment.
3. Rejections under 35 USC 112, second paragraph with respect to claims 21-23 have been withdrawn as necessitated by amendment.
4. Claims 5-10, 14-44 are currently pending. Claims 26-44 are new claims. Claims 5, 14, 26, 30, and 36 are independent claims. Claims 1-4 have been cancelled.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-10, and 14-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hackbarth (Helge Hackbarth, "Tiffy View Java Edition", Copyright 1998, downloaded from <http://web.archive.org/web/19991106083855/http://www.tiffy.de/tiffye/Tiffy.html>) in view of Cooper Union for the Advancement of Science and Art (hereinafter Cooper, "The TIFF Image File Format", version archived 02/19/1999, downloaded from <[http://web.archive.org/web/\\*/http://www.ee.cooper.edu/courses/course\\_pages/past\\_courses/EE458/TIFF/>](http://web.archive.org/web/*/http://www.ee.cooper.edu/courses/course_pages/past_courses/EE458/TIFF/>)).

In regard to independent Claim 5 (and similarly independent Claims 26, and 36), Hackbarth teaches (a) *managing a plurality of data files with a host application, the host application supporting applet execution* in the form of a platform independent application (written in Java) to view and print images of the following formats: TIFF, BMP, GIF, JPG, and PNG (called Tiffy View).

Hackbarth also teaches (b) *selecting a data file from a plurality of data files* in that it is usable as a standalone application or, alternatively the program can be run as a

Java applet in any Java capable web browser to extend standard internet/intranet technology with a powerful component for electronic document management (see page 1). The figure located at the top of Page 2 of Hackbarth depicts the application in a Preview mode showing in the left-hand window a plurality of files as well as the file Messen.jpg being highlighted for viewing in the right-hand window (see top Fig., p. 2).

Hackbarth does not specifically teach (c) *analyzing the contents of the data file for the presence of data of a first data type and a second data type*. However, Cooper teaches code for working with the TIFF image format. TIFF files contain essentially header and data sections that are typically formatted ASCII (header) followed by binary data which represents the actual image. The header information consists of name/value pairs describing the image(s) files to follow (see Pgs. 4-10 of 40).

Cooper also describes a TIFF Function Library containing algorithms implemented in computer code for reading and writing TIFF images. Specifically, Cooper describes reading and displaying a TIFF file on the VGA screen. In calling the function, there is a VERBOSE flag, which indicates whether or not to display (having first read) tag information from the TIFF file (header). Cooper continues by describing the steps that occur to produce an image on a screen display (Pgs. 19-20 of 40). Thus, Cooper teaches a way to read (and by doing so, analyzing) a TIFF file for the presence of data of a first type and data of a second type, where in this case, the header is typically ASCII, while the image data is typically binary. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of

Hackbarth and Cooper as both references relate to reading TIFF format files. Adding the teaching of Cooper provides a method by which a TIFF file can be read.

Hackbarth does not specifically teach *(d) processing data of the first data type through a first applet and data of the second data type through the second applet.*

However, it would have been obvious to one of ordinary skill in the art at the time of invention to read and extract the two file types using distinct coding portions, whether those coding portions are separate programs (applets), or part of a larger single program (applet or standalone application) because it is well known in the programming art to do so.

Hackbarth does not specifically teach *(e) merging and formatting the processed first and second data within the host application.* However, Cooper teaches, by using the VERBOSE flag, program steps that produce a display of both header (first type) and image data (second type) data for display. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hackbarth and Cooper as both references relate to reading TIFF format files. Adding the teaching of Cooper provides a method by which a TIFF file can be read, formatted, and displayed to the user.

Continuing, Hackbarth teaches *(f) displaying the merged and formatted processed first and second data* in displaying the file contents (see Figs., Pgs. 1-3).

**In regard to dependent Claim 6 (and similarly dependent Claims 17, 27, 33, and 40), Hackbarth fails to teach that *the first data type is a graphics type and the***

*second data type is a text data type.* However, Cooper teaches the TIFF file format contains a header portion and a tag portion (both ASCII), and a portion for the graphics file (see Pgs. 4-10 of 40). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hackbarth, and Cooper, because they both describe aspects of manipulating mixed content files with the goal to load and display such files in an efficient and convenient manner.

**In regard to dependent Claim 7 (and similarly dependent Claim 41),**  
Hackbarth teaches *the data file comprises a tagged format* in that the applet can read Tagged Image File Format (TIFF) files that contain as part of their content Tags (see p. 1).

**In regard to dependent Claim 8 (and similarly dependent Claim 42),**  
Hackbarth fails to teach that *the first data type comprises a compressed format image*. However, Cooper teaches that one feature of the TIFF format is its ability to accept multiple types of compression schemes for the images (see Pgs. 10-11 of 40). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hackbarth, and Cooper as both references relate to aspects of manipulating mixed content files with the goal to load and display such files in an efficient and convenient manner.

**In regard to dependent Claim 9 (and similarly dependent Claim 43),**  
Hackbarth fails to teach that *the data file comprises: a header portion containing an index portion*. However, Cooper teaches a header portion containing an offset location (index) for the first IFD, a tag portion containing an offset location (index) for the next

IFD. Both of these positions containing the offset location are at the end of the header and tagged portions respectively (see Pg. 4 of 40). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hackbarth, and Cooper, because both references relate to TIFF format files. The benefit would have been to provide an accepted format scheme for describing mixed format files.

Hackbarth also fails to teach that *a first data type located near a terminus of the data file at a starting location referenced by the index portion*. However, Cooper teaches an Image Data portion with a starting location near the end of the file, with the end of the Image Data portion at the end of the TIFF file. The index identifying the location of the Image Data portion lies at the end of the regular tagged portion (see Pg. 4 of 40). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hackbarth, and Cooper, because both references relate to TIFF format files. The benefit would have been to provide an accepted format scheme for describing mixed format files.

Hackbarth also fails to teach *a second data type located between the header and the first data type, having an end of file marker at its terminus*. However, Cooper teaches that the tagged portion (containing text) is located between the header portion and the Image Data portion (see Pg. 4 of 40). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hackbarth, and Cooper, because both references relate to TIFF format files. The benefit would have been to provide an accepted format scheme for describing mixed format files.



Cooper does not teach that *an end of file marker exists at the end of the second data type*. However, it would have been obvious to one of ordinary skill in the art at the time of invention to place an end of file marker at the end of any of the portions contained in the TIFF file format because it was common practice to do so, especially when similar files with mixed text and binary contents were written to 9-track tape or other linear fashion. The benefit would have been to identify different portions of the file, as well as to identify the end of a file.

**In regard to dependent Claim 10 (and similarly dependent Claim 44),** Hackbarth teaches *that the host application comprises a hypertext browser* in that Tiffy View can be used as an applet from an HTML web page. On the client side only a Java capable web browser like Netscape Navigator (version 3 or higher), Microsoft Internet Explorer (version 3.02 or higher) (see p. 4, 2<sup>nd</sup> paragraph).

**In regard to independent Claim 14 (and similarly independent Claim 30),** Claim 14 (and similarly Claim 30) reflect the method for presenting document records to a user through a display interface, as claimed in Claim 5 (and similarly Claim 26), and is rejected along the same rationale.

In addition, Hackbarth fails to teach that the data file includes an index portion in a header pointing to the first data type, and the second data type resides between the header and the first data type, having an end of file marker at a terminus thereof. However, Cooper teaches a header portion containing an offset location (index) for the first IFD, a tag portion containing an offset location (index) for the next IFD. Both of these positions containing the offset location are at the end of the header and tagged

portions respectively (see Pg. 4 of 40). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hackbarth, and Cooper, because both references relate to TIFF format files. The benefit would have been to provide an accepted format scheme for describing mixed format files.

Cooper also teaches an Image Data portion with a starting location near the end of the file, with the end of the Image Data portion at the end of the TIFF file. The index identifying the location of the Image Data portion lies at the end of the regular tagged portion (see Pg. 4 of 40).

Cooper also teaches that the tagged portion (containing text) is located between the header portion and the Image Data portion (see Pg. 4 of 40).

Cooper does not teach that *an end of file marker exists at the end of the second data type*. However, it would have been obvious to one of ordinary skill in the art at the time of invention to place an end of file marker at the end of any of the portions contained in the TIFF file format because it was common practice to do so, especially when similar files with mixed text and binary contents were written to 9 track tape or other linear fashion. The benefit would have been to identify different portions of the file, as well as to identify the end of a file.

**In regard to dependent Claims 15-16 (and similarly dependent Claims 31-32),** Claims 15-16 (and similarly Claims 31-32) reflects the method of processing a data file having two different data types as Claimed in Claim 14 (and similarly Claim 30), and is rejected along the same rationale.

**In regard to dependent Claim 17 (and similarly dependent Claim 33),** Hackbarth fails to teach that *the first data type is a graphics type and the second data type is a text data type*. However, Cooper teaches the TIFF file format, which depicts a header portion, a tag portion, and a portion for the graphics file (see Pg. 4 of 40). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hackbarth, and Cooper, because both references relate to TIFF format files. The benefit would have been to provide an accepted format scheme for describing mixed format files.

**In regard to dependent Claim 18,** Hackbarth fails to specifically teach that *the header and first data type are compatible with the Group 4 Tagged Image Format File specifications*. However, Cooper teaches the format of a TIFF file (see Pg. 4 of 40). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hackbarth, and Cooper, because both references relate to TIFF format files. The benefit would have been to provide an accepted format scheme for describing mixed format files.

**In regard to dependent Claim 19 (and similarly dependent Claims 24, 28, and 34),** Hackbarth teaches *displaying a list of the plurality of data files; and enabling a user to select the data file from the displayed list* in displaying a list of data files (p. 2 of 5, top figure) so that a user can select from the list a file to open.

**In regard to dependent Claim 21,** neither Hackbarth nor Cooper specifically teaches that *the host application includes at least one control accessible in a window-based environment, wherein step (f) comprises: displaying the merged and formatted*

*process first and second data using the at least one control.* However, it would have been obvious to one of ordinary skill in the art at the time of invention to use a control, as it is a notoriously well known mechanism to use in authoring graphical user interface (GUI) software.

**In regard to dependent Claim 22,** neither Hackbarth nor Cooper specifically teaches that *the at least one control includes a product control produced by BennetTec, wherein the first data type is a graphics data type, wherein step (1) comprises: displaying the graphics data type using the product control.* However, it would have been obvious to one of ordinary skill in the art at the time of invention to use a product control in concert with the control, as it is a notoriously well known mechanism to use in authoring graphical user interface (GUI) software, especially as a component for the display of graphics data.

**In regard to dependent Claim 23,** neither Hackbarth nor Cooper specifically teaches that *the at least one control includes a product control produced by BennetTec, wherein the second data type is a text data type, wherein step (1) comprises: displaying the text data type using the product control.* However, it would have been obvious to one of ordinary skill in the art at the time of invention to use the product control in concert with the control, as it is a notoriously well known mechanism to use in authoring graphical user interface (GUI) software, especially as a component for the display of text data.

**In regard to dependent Claims 37-39**, Claims 37-39 reflect the method for presenting document records to a user through a display interface, as claimed in Claims 5 (and similarly Claims 26, and 36), and are rejected along the same rationale.

7. Claim 20, 25, 29, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hackbarth in view of Cooper and in further view of Lynch et al. (hereinafter Lynch, U.S. Patent No. 5,689,669).

**In regard to dependent Claim 20 (and similarly dependent Claims 25, 29, and 35)**, neither Hackbarth nor Cooper specifically teach that *said enabling step comprises: enabling the user to sort the displayed list*. However, Lynch teaches a Graphical User Interface (GUI) that displays a list of files. These files can be sorted by clicking a button (516) (Fig. 15). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Hackbarth, Cooper, and Lynch as Hackbarth and Lynch describe a user interface that, among other things, displays file listings. Lynch allows for sorting of the file listing, providing the benefit of locating files more readily.

***Response to Arguments***

8. Applicant's arguments with respect to claims 5, 6-9, 14-18, 20, and 25 have been considered but are moot in view of the new ground(s) of rejection. Specifically, the Applicant argues that the prior art of Hackbarth in view of Microsoft Press fails to teach the limitation *(c) analyzing the content of the data file for the presence of data of a first data type and a second data type*. The Examiner agrees and withdraws the rejection. However, the Examiner now offers the prior art of Cooper, which covers the limitation.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Blackwell whose telephone number is 571-272-4089. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James H. Blackwell  
08/04/05

*William L. Bashore*  
WILLIAM BASHORE  
PRIMARY EXAMINER  
8/5/2005